

Notice of Allowability

Application No.

10/692,179

Examiner

Olisa Anwah

Applicant(s)

HENDERSON, DANIEL A.

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 1/29/2007.
2. ☒ The allowed claim(s) is/are 49-58, 71, 74, 75, 77, 81, 82 and 91-104.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 1/29/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Olisa Anwah
Patent Examiner
5-11-2007

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EXAMINER'S AMENDMENT

Allowable Subject Matter

1. Claims 49-58, 71, 74, 75, 77, 81, 82 and 91-104 are allowed.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with Robert Tendler on February 5, 2007.

AMMENDMENT to APPLICATION

4. The application has been amended as follows:
 - a) Regarding claim 49, line 14
--message including a picture--has been changed to "message including a non-facsimile picture";
 - b) Regarding claim 71, line 15

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--message including a picture--has been changed to "message including a non-facsimile picture";

5. The following is an examiner's statement of reasons for allowance:

Regarding claims 49 and 71, Saltzstein et al, U.S. Patent No. 5,446,678 (hereinafter Saltzstein) discloses a method of sending graphical data over an alphanumeric paging service (see abstract). Wells et al, U.S. Patent No. 5,023,905 (hereinafter Wells) shows a data receiver that is capable of receiving scanned graphics by radio transmission (see column 2). However, neither Saltzstein nor Wells discloses the claimed limitations of:

a receiver operably coupled to the message center for receiving and storing in a memory both message originator information provided automatically by a communications network as the caller ID identifying the telephone number of the message originator, and a non-facsimile picture obtained from the message originator with the caller ID; and

a transmitter for wirelessly transmitting the stored caller ID and the stored picture from the message center to the wireless portable communication device.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

OA

Olisa Anwah
Patent Examiner
May 11, 2007


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600